

REMARKS

In an Office Action mailed on December 28, 2006, the Examiner: (1) rejected claims 1-16 under 35 U.S.C. § 112, second paragraph, as being incomplete for omitting essential elements; (2) rejected claims 1, 5, 8, 13, and 15 under 35 U.S.C. § 102(b) as being anticipated by Yoshida (U.S. Pat. No. 5,870,596); (3) rejected claims 1-16 under 35 U.S.C. § 103(a) as being obvious over a combination of Yoshida and Honma (U.S. Pat. No. 4,903,195); (4) rejected claims 1-23 as being anticipated by Hinds et al. (U.S. Pat. No. 6,170,001); and (5) rejected claims 1, 5, 8, 10, and 15 under 35 U.S.C. § 102(b) as being anticipated by Inagami et al. (U.S. Pat. No. 4,760,545).

As a preliminary matter, Applicant confirms that the IDS sent via fax on March 21, 2005 at 10:18 AM was the same as the IDS sent via fax on the same day at 12:40 PM, except that the last page of the IDS (the PTO/SB/08A form) was missing from the first transmission. Accordingly, Applicant faxed a copy of the IDS, including the missing PTO/SB/08A form with the second transmission.

By this Amendment, Applicant amends independent claims 1, 5, 8, 13, and 15. No new matter has been added. Exemplary support for these amendments can be found on page 11, lines 15-25 and page 28, line 16 to page 29, line 15.

Concerning the rejection of claims 1-16 under 35 U.S.C. § 112, second paragraph, as being incomplete for omitting essential elements, Applicant respectfully disagrees with the Examiner's conclusion. The Examiner relying on M.P.E.P. § 2172.01 concludes that claims 1-16 omit essential elements, where the omitted essential elements relate to the relation between the two registers. Applicant respectfully submits that the Examiner has not pointed to anywhere in the Specification or any other statement of record that indicates that the relationship between the two registers was deemed essential by the Applicant. In the absence of this factual basis, Applicant submits that the Examiner is merely making a conclusory statement, which is not backed by any facts. Additionally, M.P.E.P. § 2172.01 cites approvingly to *Ex Parte Huber*, 138 U.S.P.Q. 447 (Bd. Pat. App. 1965), which states that "[a] claim does not necessarily fail to comply with 35 U.S.C. 112, second paragraph where the various elements do not function simultaneously, are not directly functionally related, do not directly intercooperate, and/or serve independent purposes." See M.P.E.P. § 2172.01. Accordingly, at least for

these reasons, Applicant respectfully requests the Examiner to withdraw the rejection of claims 1-16 under 35 U.S.C. § 112, second paragraph, as being incomplete for omitting essential elements.

Regarding the rejection of claims 1, 5, 8, 13, and 15 under 35 U.S.C. § 102(b) as being anticipated by Yoshida, Applicant has amended independent claims 1, 5, 8, 13, and 15. Each of these amended claims recites in combination with previously recited elements, wherein the at least one of the one or more instructions provides a first offset between data elements within a first portion of successive data elements to be stored into the memory or loaded from the memory and a second offset between a first portion and a second portion of the data elements to be stored into the memory or loaded from the memory. Yoshida fails to teach this limitation, and thus claims 1, 5, 8, 13, and 15 are patentable over Yoshida.

With respect to the rejection of claims 1-16 under 35 U.S.C. § 103(a) as being obvious over a combination of Yoshida and Honma, Applicant respectfully submits that as discussed above, Yoshida fails to teach each and every limitation of these claims and Honma does not cure the deficiency of teachings of Yoshida. Thus, even if combined, which they cannot be, the combination of Yoshida and Honma does not render claims 1-16 unpatentable. Accordingly, Applicant respectfully requests the Examiner to withdraw the rejection of claims 1-16 under 35 U.S.C. § 103(a) as being obvious over a combination of Yoshida and Honma.

Concerning the rejection of claims 1-23 as being anticipated by Hinds et al., Applicant has amended independent claims 1, 5, 8, 13, and 15. Each of these amended claims recites in combination with previously recited elements, wherein the at least one of the one or more instructions provides a first offset between data elements within a first portion of successive data elements to be stored into the memory or loaded from the memory and a second offset between a first portion and a second portion of the data elements to be stored into the memory or loaded from the memory. Hinds et al. fails to teach this limitation, and thus independent claims 1, 5, 8, 13, and 15 are patentable over Hinds et al.

Claims 2-4 depend, directly or indirectly, from claim 1 and thus are patentable for at least the reasons given above with respect to claim 1.

Claims 6 and 7 depend from claim 5 and thus are patentable for at least the reasons given above with respect to claim 5.

Claims 9-12 depend, directly or indirectly, from claim 8 and thus are patentable for at least the reasons given above with respect to claim 8.

Claim 14 depends from claim 13 and thus is patentable for at least the reasons given above with respect to claim 13.

Claims 16-23 depend, directly or indirectly, from claim 15 and thus are patentable for at least the reasons given above with respect to claim 15.

Regarding the rejection of claims 1, 5, 8, 10, and 15 under 35 U.S.C. § 102(b) as being anticipated by Inagami et al., Applicant has amended independent claims 1, 5, 8, and 15. Each of these amended claims recites in combination with previously recited elements, wherein the at least one of the one or more instructions provides a first offset between data elements within a first portion of successive data elements to be stored into the memory or loaded from the memory and a second offset between a first portion and a second portion of the data elements to be stored into the memory or loaded from the memory. Inagami et al. fails to teach this limitation, and thus independent claims 1, 5, 8, and 15 are patentable over Inagami et al.

Claim 10 depends indirectly from claim 8 and thus is patentable for at least the reasons given above with respect to claim 8.

Accordingly, for at least the reasons given above, Applicant respectfully requests allowance of pending claims 1-23. The Office Action contains numerous statements characterizing the claims, the Specification, and the prior art. Regardless of whether such statements are addressed by Applicant, Applicant refuses to subscribe to any of these statements, unless expressly indicated by Applicant. Should issues remain that might be subject to resolution through a telephonic interview, the Examiner is requested to telephone the undersigned at (512) 996-6839.

If Applicant has overlooked any additional fees, or if any overpayment has been made, the Commissioner is hereby authorized to credit or debit Deposit Account 503079, Freescale Semiconductor, Inc.

Respectfully submitted,

SEND CORRESPONDENCE TO:

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